

EXHIBIT Z

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CITIBANK, N.A.,

Plaintiff,

v.

ARALPA HOLDINGS LIMITED
PARTNERSHIP AND RODRIGO LEBOIS
MATEOS,

Defendants.

No. 22-cv-08842 (JLR)

**INFORMATION SUBPOENA
AND RESTRAINING NOTICE
PURSUANT TO CPLR §§
5222 AND 5224**

To: Rodrigo Lebois Mateos
C/O CT Corporation
28 Liberty St., Fl 42
New York, New York 10005

WHEREAS, on September 15, 2023, in an action in the United States District Court for the Southern District of New York, between Citibank, N.A., Plaintiff, and Aralpa Holdings Limited Partnership and Rodrigo Lebois Mateos, Defendants, a judgment was entered against Defendants in favor of Citibank for the sum of \$35,000,000.00, plus interest on the principal in the amount of \$3,578,670.43 at the contractual default rate of interest from the date of the default (August 11, 2022) through September 15, 2023, plus post-judgment interest at the federal statutory rate set forth in 28 U.S.C. § 1961. The sum of \$35,000,000.00 and interest is still due to satisfy the judgment;

WHEREAS, the Judgment of the United States District Court for the Southern District of New York was filed with the County Clerk for New York County on October 17, 2023 and is subject to enforcement under CPLR 5018 as a Judgment of the Supreme Court of the State of New York, County of New York;

THEREFORE, PLEASE TAKE NOTICE that you are hereby commanded, pursuant to CPLR 5224, to furnish the undersigned, in writing and under oath, separate and full answers to each of the written questions attached to this subpoena, with each answer referring to the question to which it responds. Your answers must be returned within seven (7) days of your receipt of this subpoena and the attached questions to the undersigned at 950 Third Avenue, New York, New York 10022. Answers must be provided by an officer, director, agent, or employee having the information.

TAKE FURTHER NOTICE that false swearing or failure to comply with this subpoena is punishable as contempt of court.

I HEREBY CERTIFY that this information subpoena complies with Rule 5224 of the Civil Practice Law and Rules and Section 601 of the General Business Law that I have a reasonable belief that the party receiving this subpoena has in their possession information about the debtor that will assist the creditor in collecting the Judgment.

RESTRAINING NOTICE

WHEREAS, you are one of the Judgment Debtors.

WHEREAS, it appears that you owe a debt to the other Judgment Debtor, Aralpa Holdings Limited Partnership, or are in possession or in custody of property in which Aralpa Holdings Limited Partnership has an interest.

TAKE NOTICE that pursuant to CPLR 5222(b), which is set forth in full herein, you are hereby **FORBIDDEN** to make or suffer any sale, assignment or transfer of, or any interference with any property in which you or Aralpa Holdings Limited Partnership have an interest, except as therein provided.

TAKE FURTHER NOTICE that this notice also covers **ALL PROPERTY** in which you or Aralpa Holdings Limited Partnership have an interest hereafter coming into your possession or custody.

TAKE FURTHER NOTICE that this restraint includes **ALL PROPERTY, WHEREVER LOCATED** in which you or Aralpa Holdings Limited Partnership have an interest which is in your possession, control and/or custody.

TAKE FURTHER NOTICE that disobedience of this Restraining Notice is punishable as contempt of court.

CIVIL PRACTICE LAW AND RULES

5222(b) Effect of restraint; prohibition of transfer; duration. A judgment debtor or obligor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he or she has an interest, except as set forth in subdivisions (h) and (i) of this section, and except upon direction of the sheriff or pursuant to an order of the court, until the judgment or order is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor or obligor is effective only if, at the time of service, he or she owes a debt to the judgment debtor or obligor or he or she is in the possession or custody of property in which he or she knows or has reason to believe the judgment debtor or obligor has an interest, or if the judgment creditor or support collection unit has stated in the notice that a specified debt is owed by the person served to the judgment debtor or obligor or that the judgment debtor or obligor has an interest in specified property in the possession or custody of the person served. All property in which the judgment debtor or obligor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor or obligor, shall be subject to the notice except as set forth in subdivisions (h) and (i) of this section. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff or the support collection unit, except as set forth in subdivisions (h) and (i) of this section, and except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him or her, or until the judgment or order is satisfied or vacated, whichever event first occurs. A judgment creditor or support collection unit which has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor or obligor, for any

damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor or obligor in an amount equal to twice the amount due on the judgment or order, the restraining notice is not effective as to other property or money.

Dated: October 24, 2023
New York, New York

KAUFF LATON MILLER LLP

By: 
Adam M. Kauff
Jonathan Perrelle
950 Third Avenue
New York, New York 10022
Tel. (212) 906-3441
Fax (212) 656-1456
akauff@klmlp.com
jperrelle@klmlp.com

*Attorneys for Plaintiff/Judgment Creditor Citibank,
N.A.*

APPENDIX A

Plaintiff/Judgment Creditor Citibank, N.A. requests that you produce documents and things within your possession, custody and/or control for inspection and copying. For the purposes of these requests, the following definitions and instructions apply.

DEFINITIONS

1. “Asset” means any property or thing of value, including but not limited to all real property, tangible personal property including cash, automobiles, machinery, equipment, boats, precious metals, jewelry, art, furniture, and fixtures, and intangible personal property including accounts receivable, notes receivable, stocks, bonds, and other securities, retirement accounts, pensions, annuities, copyrights, patents, insurance policies, and trusts and wills for which any of the Judgment Debtors may be a beneficiary.

2. “Judgment” means the money judgment entered on September 15, 2023 in the above referenced action.

3. “Judgment Debtors” mean Defendants/Judgment Debtors Aralpa Holdings Limited Partnership and Rodrigo Lebois Mateos.

4. “Affiliated Entities” means any and all parents or entities that are wholly owned and/or controlled (directly or indirectly) by, or under common control with, the Judgment Debtors, including any subsidiaries, divisions, predecessor and successor companies, affiliates, any partnership or joint venture to which they may be a party, including but not limited to, the entities identified in Exhibit A attached.

5. “Relevant time period” is from August 11, 2022 to present.

6. “Aralpa” means Aralpa Holdings Limited Partnership and includes all representatives, agents, and employees.

7. “You” or “Your” means Rodrigo Lebois Mateos and includes all representatives, agents, and employees.

SUBPOENA REQUESTS

1. Identify any role or title that You or Aralpa have with respect to: One57 36B LLC; Unifin Financiera SAB de CV; Promexcap Spain S.L.; Terralpa Investments Fund I Limited Partnership; Araterra Inversiones, S.L.; and Park Side Enterprises Limited Partnership.

2. Identify any ownership interest You or Aralpa have in: One57 36B LLC; Unifin Financiera SAB de CV; Promexcap Spain S.L.; Terralpa Investments Fund I Limited Partnership; Araterra Inversiones, S.L.; and Park Side Enterprises Limited Partnership.

3. Identify any assets held by You or Aralpa with respect to One57 36B LLC, Unifin Financiera SAB de CV, Promexcap Spain S.L., Terralpa Investments Fund I Limited Partnership, Araterra Inversiones, S.L., and Park Side Enterprises Limited Partnership, including but not limited to, collateral for any mortgage or debt instrument, real or personal, the location of such property, the value of the property interest, and associated interest and title information for such property interest.

4. Identify all checking, savings, brokerage, investment, or other accounts in which You have an interest or for which You are a beneficiary, including the account number, the name in which the account is held, the financial institution at which the account is held, the address of the financial institution at which it is held, the type of account, the assets held in the account, and the amount in the account.

5. Identify all checking, savings, brokerage, investment, or other accounts in which Aralpa has an interest or for which Aralpa is a beneficiary, including the account number, the name in which the account is held, the financial institution at which the account is held, the address of

the financial institution at which it is held, the type of account, the assets held in the account, and the amount in the account.

6. Identify all debts or credits due, owing, or which will become due or owing of You or Aralpa, wherever found, the location of those debts or credits, the amount, the date and time at which such debt or credit is payable to You or Aralpa. This is including, but not limited to, all forms of instruments, certificates of deposit, loan, mortgages, stock certificates, partnership interests, corporate shares, joint venture accounts or assets, and any other property in which the You or Aralpa have an interest

7. Identify all assets in which You or Aralpa have any interest, including but not limited to, collateral for any mortgage or debt instrument, real or personal, the location of such asset, the value of the asset, and associated interest and title information for asset.

8. Identify all entities in which You or Aralpa have any direct or indirect ownership interest, including the name of the entity, the address of such entity, the tax identification number, of such entity, any role or title You and/or Aralpa have in such entity, the extent of Yours' and/or Aralpa's ownership interest, and the value of such ownership interest.

9. For each entity identified in response to Question No. 8, identify all checking, savings, brokerage, investment, or other accounts in which the entity has an interest or for which it is a beneficiary, including the account number, the name in which the account is held, the financial institution at which the account is held, the address of the financial institution at which it is held, the type of account, the assets held in the account, and the amount in the account.

10. For each entity identified in response to Question No. 5, identify all assets of such entity, including but not limited to, collateral for any mortgage or debt instrument, real or personal,

the location of such asset, the value of the asset, and associated interest and title information for such asset.

11. Identify any transfer of assets from You or Aralpa to any of the Affiliated Entities during the relevant time period, including the nature of the asset, the date of transfer, and the details of the recipient of the transferred assets.

12. Identify any sales or other transfers of ownership of any real or personal property in which You or Aralpa had an interest during the relevant time period, including the date of the sale, the asset sold, the buyers, and the sale price or consideration received by You or Aralpa.

13. Identify any accounts closed by You or Aralpa during the relevant time period, including the account number, the name in which the account was held, the financial institution at which the account was held, the address of the financial institution at which the account was held, the type of account, the date the account was closed, and the balance in the account immediately prior to its being closed.

14. Identify all sources of income for You or Aralpa, including but not limited to, and dividends and/or distributions payable to You or Aralpa.

15. Identify all persons or entities to which You or Aralpa have loaned any funds that are currently outstanding, including but not limited to, the name of the person or entity who borrowed the funds, the terms of the loan, any collateral used to secure the loan, and the current amount outstanding on the loan.

EXHIBIT A

List of Affiliated Entities

1. Aralpa Capital, S.A. de C.V.
2. Aralpa Holdings Espana S.L.
3. Aralpa Inversiones SL
4. Aralpa Miami Investments, LLC
5. Araterra Inversiones, S.L.
6. Araterra Gestora, S.L.
7. Banco Invex, S.A. Fideicomiso 2452
8. Botti Sea Limited
9. Garona Directorship SL
10. LBB Capital SA de CV
11. LB&B Capital, S.A. de C.V.
12. Lionne Investments Sarl
13. One57 36B LLC
14. Park Side Enterprises Limited Partnership
15. Promexcap Spain S.L.
16. Solaris 7A, LLC
17. Terralpa Investments Fund I Limited Partnership
18. The Wilshire 1602, LLC
19. Unifin Financiera SAB de CV
20. VRX I Investment Fund SPC L SP
21. VRX I Investment Fund SPC L1 SP
22. Yucon Mining LLC